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# **In the Supreme Court of the United States**

**OCTOBER TERM, 1964**

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**No. 34**

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**STEWART L. UDALL, SECRETARY OF THE INTERIOR,  
PETITIONER**

**v.**

**JAMES K. TALLMAN, ET AL.**

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**ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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**REPLY BRIEF FOR THE PETITIONER**

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## **I**

**THE COURT MAY TAKE JUDICIAL NOTICE OF THE OFFICIAL  
PUBLIC RECORDS OF THE ANCHORAGE LAND OFFICE**

In our opening brief, as in our petition for certiorari and reply, we summarized the leases that had been issued in the several parts of the Moose Range at the relevant times, stating that the data was based on the records of the Anchorage land office. Despite their ready access to those records,<sup>1</sup> respondents do

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<sup>1</sup> The records are, it is true (Resp. Br. 42 n. 49), located in Alaska, but respondents Tallman and Bell are lawyers practicing in Anchorage (R. 3; Richfield-Standard Br. ii-iii) and Tall-



not challenge the accuracy of the facts stated. They repeatedly complain, however, of our making reference to matters not introduced into evidence (Br. 7 n. 2, 10, 11, 38 n. 44, 42 n. 49). We may ignore the double standard respondents would invoke,<sup>2</sup> for it is clear in any event that the Court may take judicial notice of the official public records of the Anchorage land office upon which the data given was based. See, e.g., *Knight v. U.S. Land Ass'n.*, 142 U.S. 161, 169; *Caha v. United States*, 152 U.S. 211, 222; *Tampa Electric Co. v. Nashville Co.*, 365 U.S. 320, 332. And to remove any doubts about the accuracy of the data—although it is not specifically challenged by respondents—we have filed with the Clerk and reprinted as an appendix to this brief an affidavit by the Manager of the Anchorage land office. Schedules appended to the affidavit list—with the serial number, date of fil-

man has in fact visited the Anchorage land office to examine the records in connection with this case (see p. 2a, *infra*). In addition, we informally offered to furnish respondents with a list of the leases to which reference was made and to aid them in verifying any items about which they had any question. If respondents are ignorant of the accuracy of the data, it is only because they choose to remain so.

<sup>2</sup> That nothing in the record (or elsewhere) supported the statement did not dissuade respondents from telling the court of appeals that "No leases issued for any lands within the Kenai Range between 1941 and 1958" (C.A. Br. 30) and that the 1957 discovery of oil (in the Swanson River Unit) was "outside of the Kenai National Moose Range" (C.A. Br. 40).

ing, date of issuance, acreage, location, and a reference to the records containing the information—all of the relevant leases issued in the Range as shown on the official public records of that office.<sup>3</sup>

<sup>3</sup> There are, not surprisingly, minor discrepancies between the data we previously gave the Court and the result of the final (and more accurate) tabulation by the Anchorage land office. A comparison of the data shown by the schedules in the appendix with that given in our opening brief follows:

In the area withdrawn from settlement by Executive Order 8979, the number of leases issued *prior to 1958* was 37 covering 75,446 acres (Sch. I(A)) rather than 36 covering 74,986 acres (Br. 12). The number issued *after 1958* on pre-1958 applications was 294 covering 621,234 acres (Sch. I(B)) rather than 302 covering 663,281 acres (Br. 12). The total for the two periods is 331 leases covering 696,680 acres (Sch. I) rather than 338 covering 738,267 acres (Br. 13, 33 n. 36).

In the area excepted from the Executive Order but withdrawn from settlement by Public Land Order 487, our statement (Br. 30, n. 32) that two leases were actually issued before that order was revoked by Public Land Order 1212 (September 9, 1955) was correct, although the acreage (441 acres) is perhaps insignificantly small (Sch. II(A)). The total number of leases issued on applications *filed* before the revocation was 74 covering 116,878 acres (Sch. II(A) and (B)) rather than 71 covering 124,251 acres (Br. 30 n. 32, 33 n. 36).

The total acreage in the two areas that was improperly leased if the decision below is correct is thus 813,558 (Sch. I and II) rather than 862,000 (Br. 33). For the sake of completeness, though it has no relevance to the case, the total acreage leased in the part of the Range that was not withdrawn from settlement by either order (on pre-1958 applications) was 57,425 acres (Sch. III) rather than "some 55,000" acres (Br. 33-34 n. 36).

The leases the validity of which is challenged in this case are items 47, 48, 94-97, 99-102, and 243 of Schedule I(B) and items 26, 48, 55, 56, 69, and 70 of Schedule II(B).

## II

**RESPONDENTS' EXPLANATION OF THE LEASING ACTIONS IS SPECIOUS AND INCOMPLETE****A. THE 1955 REGULATION AND THE LEASING OF THE SWANSON RIVER UNIT**

As to nine of the ten respondents (i.e., all except respondent Coyle), the sole question is the availability for oil and gas leasing of the area withdrawn from settlement in 1941 by Executive Order 8979.<sup>4</sup> As to that area, the fact that respondents understandably find the most embarrassing is that in 1956 the Department in fact issued 31 leases covering 71,680 acres (over 100 square miles) in that part of the Range (Sch. I(A), items 7-37). Those leases, known as the Swanson River Unit, were issued with the prior approval, following public hearings, of the House Committee on Merchant Marine and Fisheries (see Pet. Br. 16). It was in the area so leased that a major oil discovery was made in 1957. And all of that occurred *prior* to 1958 and thus during the period that respondents contend, and the court below held, that the area was "closed" to leasing by the terms of the Executive Order.

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<sup>4</sup>Public Land Order 487, issued in 1948, and the order which revoked it in 1955 (Public Land Order 1212) applied to an entirely separate area and are relevant only to respondent Coyle's case. The confusion generated by respondents' brief (and reflected in the court of appeals' opinion) is attributable in large part to their refusal, either in their statement or in their argument, clearly to separate the orders and facts relevant to the different respondents.

Throughout the litigation of this case, respondents have striven to explain away the Swanson River Unit leases. In the court of appeals, they simply asserted as a fact that the leases were not within the boundaries of the Moose Range (see note 2, *supra*). When the demonstrable error of that assertion was pointed out in our petition, respondents next asserted that the Swanson River Unit leases were within an area "expressly designated" in the 1955 regulation in which leasing was "specifically authorized" as an exception to the alleged general prohibition (Br. in Opp. 8; 7, 13, 15). In reply we showed that the Swanson River Unit was not within miles of any of the areas "expressly designated" in the 1955 regulations (Reply to Br. in Opp. 2-3). Their two prior explanations having been exposed as groundless, respondents now assert, with equal assurance, that, while the Swanson River Unit "apparently" was not within the area specified in the 1955 regulation, it was nevertheless "in fact treated" by the Department as "governed by" the provisions applicable to the areas which were so specified (Br. 10; 9, 11, 12, 41-44, 49).

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<sup>5</sup> In a footnote, respondents begrudgingly acknowledge that the Swanson River Unit was not within the relevant distance (one mile) of such of the specified landmarks as appear on the Geological Survey's map of the area, but note (apparently with implied significance) that the map does not show all the landmarks (Br. 10, n. 6). In view of respondents' reticence to acknowledge indisputable geographic facts and the inconvenience of otherwise attempting to prove the relationship of each landmark to the Swanson River Unit, we ask the Court to take judicial notice that an area 25 miles long and 4 miles wide could not all be within "one mile" of anything.

1. We need not pause to answer respondents' unsupported assertion that the Swanson River Unit was somehow "treated" as something it indisputably was not. For even more preposterous is the legal premise of the argument: that the parts of the Kenai Moose Range that were expressly named in the 1955 regulation were so named for the purpose of specifically authorizing their leasing and thereby excepting them from the general prohibition against leasing allegedly contained in Executive Order 8979. What we will show is that the regulation treated the entire Range as available for leasing and then named certain specific areas within it in which, because leasing "might seriously impair or destroy" conservation uses, leasing would *not* be permitted except under special conditions. In short, the areas specifically named were named for the purpose, not of authorizing their leasing, but of imposing additional restrictions upon their leasing. And if the regulation authorized leasing in the named parts of the Range (subject to the special restrictions)—as respondents assert it did—a *fortiori* it authorized leasing in the rest of the Range.

The 1955 version of the refuge-leasing regulation is set forth in full at pp. 4a-5a of our opening brief. It is captioned "Leasing of wildlife refuge lands" and, like its predecessor and successor, was applicable not merely to Alaska but generally to all areas subject to the jurisdiction of the Fish and Wildlife Service. (see § 192.9(a)). In an exploded form which sepa-

rates the three categories of lands with which it dealt, subsection (b)(1) provided:

Areas determined to be indispensable for the preservation of rare or endangered species, remnant big-game herds, and irreplaceable examples of unique animal or plant ecology are not available for leasing. Areas in this category at present are included in Appendix A. [Appendix A included no areas within the Moose Range.]

Oil and gas leases may be issued for other lands administered by the Fish and Wildlife Service for wildlife conservation [a description which would include the whole of the Moose Range],

except that; on those areas designated by the Fish and Wildlife Service as wilderness, recreational, water development, or marsh, with respect to which the Fish and Wildlife Service reports that oil and gas development might seriously impair or destroy the usefulness of the lands for wildlife conservation purposes, no leases will be issued unless a complete and detailed operating program for the area, which will insure full protection of the particular values for which established, is approved by the Director, Fish and Wildlife Service. All pending applications on such excepted wilderness, recreational, water development, and marsh areas will be rejected unless within 6 months the applicant files an operating program sufficient to accomplish these purposes.



Areas in this category are listed in Appendix B. [Appendix B included the following item: "Kenai: The following areas and all lands within one mile of Tustemena Lake, Skilak Lake, Kenai River, Upper and Lower Russian Lake and River Hidden Lake, Kasilof River, and Chickaloon Flats."]

The parts of the Range which were expressly designated in the 1955 regulation (i.e., listed in Appendix B), then, were designated as "wilderness, recreational, water development, or marsh" areas in which it had been determined that leasing "might seriously impair or destroy the usefulness of the lands for wildlife conservation purposes." Respondents' argument, incredible as it may seem, is that those areas were designated in order specifically to authorize their leasing while leaving the rest of the Range "closed" to leasing—i.e., that the purpose of the 1955 regulation was to authorize leasing in the Range *only* in areas in which "oil and gas development might seriously impair or destroy the usefulness of the lands for wildlife conservation purposes." The Secretary could permit oil wells to be drilled in the middle of marshlands or on the banks of lakes and rivers where fish and wildlife abound, but no drilling was to be permitted in areas of the Range in which there was no danger of seriously impairing wildlife conservation!

In fact, of course, the world is not upside down, and the lakes, rivers, and marshlands of the Kenai Moose Range that were expressly named in the 1955 regulation (Tustemena Lake, etc.) were named for precisely the opposite purpose: to *except* them from the cate-



gory of lands otherwise *open* to leasing (*i.e.*, the rest of the Range) and to *forbid* their leasing unless the Service first approved a detailed operating program which provided adequate safeguards to protect the wildlife in those especially sensitive areas. What the regulation in terms said was that: "Oil and gas leases *may be issued* for other lands administered by the Fish and Wildlife Service for wildlife conservation *except that*," unless special requirements are satisfied, "no leases will be issued" within one mile of Tustumena Lake and other designated areas of the Moose Range (and of other refuges) as to which it had been determined that leasing "might seriously impair or destroy" wildlife conservation purposes. The general provision that "Oil and gas leases may be issued for other lands administered by the Fish and Wildlife Service for wildlife conservation" by its own terms included the whole of the Kenai Moose Range, and the specific exception from that provision of certain designated parts of the Range (the named waters and marshlands) confirmed that meaning by necessary implication. If the Range as a whole was not subject to the general provision, there was no need to except the designated parts of it. And the result of any other reading would be the absurdity contended for by respondents—to wit, that leasing was permissible only in the parts of the Range in which it "might seriously impair or destroy the usefulness of the lands for wildlife conservation purposes."

In sum, the Swanson River Unit leases were issued, not because they were in an area in which leasing

"might seriously impair or destroy" wildlife conservation (or were "treated" as being in such an area), but because the Range as a whole was then, as it always had been and as it was clearly treated by the regulation, fully available for leasing.\*

\* Even though the Swanson River Unit was not within the areas designated in Appendix B, the applicants for those leases in fact submitted and obtained Service approval of a detailed operating program for the unit, a fact to which respondents seek to attach significance (Br. 10, 42-43). The explanation is two-fold. The designation of areas subject to that requirement was not a closed category; the Fish and Wildlife Service could at any time designate other areas in which leasing "might seriously impair or destroy" conservation purposes and accordingly require advance approval of operating programs as to them. Submitting and obtaining approval of an operating program for *any* area in the Range was thus appropriate to pretermite the question whether the area should be so designated. In addition, as explained in our opening brief, the Secretary had directed his subordinates to withhold final action on lease applications pending a further revision of the regulations (Br. 10-21), and the Swanson River Unit leases were issued only after the House Committee on Merchant Marine and Fisheries expressed its concurrence in the Departmental judgment that issuance of the particular leases would not be detrimental to wildlife uses and need not be further delayed pending final resolution of the question of the leasing policies generally to be followed (Br. 16). To persuade the Department and the Committee that the proposed leasing was consistent not only with the existing regulations but with any that were likely to be adopted, it was obviously appropriate to obtain Fish and Wildlife Service approval of the proposed operations whether or not the existing regulations required it.

Needless to say, the requirement of the 1955 regulation that a detailed operating program be submitted within six months—of which respondents also make much (Br. 43)—was applicable only to areas that had in fact been designated as areas in which leasing "might seriously impair or destroy" wildlife values (i.e., Appendix B areas), not to those that had not been so designated but in the future might be.

2. In support of their reading of the 1955 regulation as authorizing leasing only in those areas of the Range in which it might "seriously impair or destroy" wildlife conservation (i.e., the Appendix B areas), respondents make the further assertion that prior to 1958, except for the requirements applicable to the Appendix B areas, "there was no other program for protection of the wildlife for the withdrawn area of the Moose Range" (Br. 44) and "there were absolutely no safeguards or other procedures to protect the national breeding and feeding range of the giant Kenai moose" (Br. 47; see also 37). Once again it requires but a reading of the regulation, which respondents fail even to mention, to expose the statement as patently false.

Having provided that "Oil and gas leases may be issued" in wildlife refuges other than in the areas specifically excepted, the 1955 regulation immediately went on to provide that any prospecting under such leases must "be of a type and at a time satisfactory to the Fish and Wildlife Service"; that no drilling may be conducted "until such lease has been committed to an approved unit plan"; that no drilling operations under the unit plan may be conducted "without the consent and approval of the Fish and Wildlife Service as to the time, place, and nature of such operations"; that no plan of development including refuge lands may "be approved without the concurrence of the Fish and Wildlife Service"; and that the lessee must "observe and comply with all State and Federal laws and regulations relating to wildlife" (§ 192.9(b)(2), Pet. Br. 4a-5a). The Fish

and Wildlife Service thus retained virtually plenary control over the development of any leases issued in wildlife refuges. The Service's powers were, indeed, just as great as they were over operations conducted in the Appendix B areas. The only difference was that, in Appendix B areas, the Service had to be satisfied in advance of the feasibility of development while affording full protection to the wildlife before any lease at all could be issued; in the other less sensitive areas where at least some development was clearly feasible, the leases could be issued without prior approval of the proposed operations but the lessee had then to obtain the Service's approval of the details of any actual prospecting or drilling. In what way the 1958 regulation did—or, indeed, could—provide any greater measure of protection for the wildlife, respondents do not say.

3. Respondents' final argument about the 1955 regulation is that, even if it did treat the entire Moose Range as open to leasing—as we have shown it clearly did—that proves nothing about the prior status of the lands, the regulation would simply have "opened" the lands prospectively, and the applications of the Grif-

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Respondents are equally wrong in their implied assertion that the original 1947 version of the regulation provided no procedures for protection of the wildlife (Br. 37). That regulation required the lands to be "subjected to an approved cooperative or unit plan" even before the lease was issued and further prohibited any "drilling or prospecting" under the lease "except when consented to by the Secretary of the Interior upon the advice of the Fish and Wildlife Service" (§ 192.9, Pet. Br. 3a).

fin group, having been filed (in October 1954-January 1955) prior to the adoption of the 1955 regulation (December 8, 1955), would still have been invalid (Br. 41-42, 43-44). Our answer to that argument is twofold.

*First*, that would still not remove the independent significance of the issuance of the Swanson River Unit leases, for the *applications* for those leases were likewise filed (in October-November 1954) prior to the 1955 regulation and, in fact, during exactly the same period that the Griffin applications were filed. Those leases were issued after public congressional hearings and with the prior approval of a congressional committee (see Pet. Br. 16), and their issuance made notorious—if it was not already notorious—the Secretary's long-standing construction of Executive Order 8979 as not barring mineral leasing. If the Swanson River Unit applications were valid, so too were the Griffin applications filed at the same time.

*Second*, we submit that the 1955 regulation was premised upon the Secretary's *construction* of Executive Order 8979 as leaving the area open to leasing and was not intended as a *modification* of that order, "opening" the lands to leasing for the first time. If so, the regulation, as an official and formal confirmation of that construction, does have very great weight indeed in establishing the *prior* status of the lands.

It is true, as pointed out in our opening brief (pp. 25-26), that the Secretary had authority, if necessary, actually to amend the Executive Order and to

modify the terms of the withdrawal. That the Secretary did not *think* he was doing that in the 1955 regulation is evident, however, from two circumstances. In the first place, the President's delegation to the Secretary of the power to make or modify withdrawals had in terms said the Secretary might do so "by public land orders."<sup>1</sup> Whether or not a "regulation" could, if necessary to its validity, be given effect as an exercise of that power even though not styled a "public land order," any *intentional* exercise of that power has always been done by formal "Public Land Orders"—as is demonstrated, indeed, by the large number of such orders collected in the appendices of respondents and *amici*.<sup>2</sup>

<sup>1</sup> Executive Order 10355 (17 F.R. 4831); See R. 102

<sup>2</sup> That observation is equally responsive to respondents' argument that the 1958 regulation and implementing order were intended to "open" the Range for the first time—rather than being merely confirmatory of the Secretary's longstanding view that Executive Order 8979 had never closed the Range to leasing in the first place. Respondents' statement that the 1958 regulation was "express" in applying to all wildlife refuges "whether they had been previously closed or open to" leasing (Br. 44) and "expressly indicated" that it was to cover "even those [refuges] which by the terms of the order creating them were closed to oil and gas leasing" (Br. 42; 8) is another of respondents' many misstatements. The only support given for the statement (Br. 44) is a reference to "(*supra*, p. 12)." The portion of the 1958 regulation quoted at p. 12 of respondents' brief, in turn, is quoted accurately but says only that "no leases \* \* \* will be issued" in certain refuges "even though such lands \* \* \*, by the terms of the withdrawal order, may be subject to mineral leasing." That the 1958 regulation "expressly forbade leasing in some refuges that had previously been open to leasing is admitted. But what respondents say is that it was equally "express" in *authorizing* leasing in refuges



In the second place, it seems evident that, if the Secretary thought he was changing the status of the Kenai Moose Range (rather than merely imposing additional restrictions on leasing in it), he would have done so in much more express terms than those found in the 1955 regulation. As noted above, the regulation never expressly referred to the Range as a whole; the only reference by name was to certain parts of the Range (Tustumena Lake, *etc.*) which were named for the purpose of *excepting* them from the general provision that "Oil and gas leases may be issued" in wildlife refuges. As we have shown, the specific exception of parts of the Range, in order to subject their leasing to special restrictions, necessarily *assumed* that the Range as a whole was open to leasing—*i.e.*, under the terms of Executive Order 8979—since otherwise the regulation is an absurdity. But such an indirect implication—however inescapable and however clearly it confirms the availability of the Range for leasing—is, plainly inappropriate as a technique affirmatively to *change* the status of the Range.

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that had been *closed* to leasing by the terms of the withdrawal order, and that is simply not so. The Secretary has always asserted the power to "regulate"—even to the extent of forbidding altogether—leasing in areas left open by the withdrawal order, and it is that power that he exercises by regulation. But to permit leasing in an area closed by the withdrawal order plainly requires a modification of the withdrawal order itself, and that power has always been exercised, not by regulations, but by "Public Land Orders," as the Executive Order delegating that authority to the Secretary contemplated that it would be.



In short, if the Secretary had thought he was changing the status of the Range and actually modifying Executive Order 8979, he (a) would have done so expressly and not by indirection and (b) would have done so by a Public Land Order and not by a regulation. That the 1955 regulation does clearly *treat* the Range as open to leasing is thus proof of the Secretary's construction of Executive Order 8979 as permitting mineral leasing, thereby evidencing the status of the lands at the time the Griffin applications were filed as well as prospectively.<sup>10</sup>

<sup>10</sup> In support of their claim that the 1955 regulation "is worthless as an indication of the pre-existing status of any lands" (Br. 42), respondents have found *one* refuge out of the 176 listed in Appendix B of the regulation which they claim "had prior thereto clearly been closed to leasing" (Br. 41; 9, n. 4). We may pass the question whether one mistake in a listing of 176 refuges would prove much in any event, for the fact is that it is the respondents who err. The refuge referred to is the Salt Plains in Oklahoma, a small part of which (543 acres in a reservation covering over 30,000 acres) was withdrawn by Public Land Order 144, 8 F.R. 9430 (Br. 41, n. 48). It is true that the first paragraph of that order did expressly withdraw the lands "from all forms of appropriation under the public land laws, including the mining laws and the mineral-leasing laws." What respondents neglect to tell the Court is that the *third* paragraph of that order then went on to provide:

"In the administration of these lands as a part of the Salt Plains National Wildlife Refuge, the Department of the Interior shall have the authority to utilize and dispose of the economic resources of the land in accordance with the laws and regulations governing national wildlife refuges \* \* \*." The Mineral Leasing Act of 1920 is by its own terms fully applicable to wildlife refuges (see § 1, Pet. Br. 1a), and § 192.9 of the regulations is itself one of the general regulations gov-

## B. OTHER LEASING ACTIONS

1. Respondents' repeated statement that "all of the lands for which leases were granted prior to 1958 were in the excepted area of the Range expressly left open by the terms of the 1941 Executive Order, or were in the Swanson River Unit" (Br. 11-12, 44) is erroneous. As we pointed out in reply to the same statement in the brief in opposition, there were in fact six leases issued prior to 1958 in the area withdrawn by Executive Order 8979 which were not within the Swanson River Unit (items 1-6, Sch. I(A)).<sup>11</sup> We have now been advised by the Manager of the Anchorage land office, however, that those six leases

erning the utilization and disposal of the "economic resources of the land" in wildlife refuges.

Finally, even if that small part of the Salt Plains had indeed been expressly closed to leasing by the withdrawal order, we would not read a simple listing of the "Salt Plains" in Appendix B of the 1955 regulation as having been intended to modify the terms of the withdrawal. A general listing of the "Salt Plains" (large parts of which were admittedly open to leasing) as one of the areas in which leasing "might seriously impair or destroy" wildlife conservation purposes and in which, therefore, special restrictions should be imposed on leasing (§ 192.9(b)(1), Pet. Br. 4a) carries no implication, we submit, that any part of the area so designated that was previously entirely closed to leasing should henceforth be open. The purpose of the Appendix B designation of an area was to restrict, not to enlarge, its leasing.

<sup>11</sup> In pointing out the error, we noted that respondents may have been misled by the map filed by the amici in the court of appeals (though the map does show one of the leases (in T4N-R10W)) (Reply to Br. in Opp. 5 n. 3). Instead of acknowledging the error, respondents now repeat the misstatement, each time carefully prefacing it with, "Based on this map" (Br. 11-12), or "As the map \* \* \* shows" (Br. 44).

were apparently issued by mistake.<sup>13</sup> We accordingly place no reliance on them.

2. With the minor exception noted, respondents' statement that all the pre-1958 leases other than those in the Swanson River Unit were in the area excepted from the 1941 Executive Order is true enough. And as to nine of the respondents, that statement is sufficient to dispose of the direct relevance of the other pre-1958 leases. Yet it does not dispose of them as to respondent Coyle, for his application—and the leases in conflict with it—were likewise on lands within the excepted area.

Most of the area originally excepted from Executive Order 8979 was later withdrawn from settlement by Public Land Order 487, and prior to 1958 a total of 23 leases covering 42,477 acres were issued in the area so withdrawn on applications filed (like those of the Griffin group) *before* Public Land Order 487 was revoked in 1955 (Sch. II(A) and items 1-21 of Sch. II(B)). Those leases show a consistent practice directly contrary to respondent Coyle's construction of Public Land Order 487, upon which his claim wholly depends. While respondents correctly deny their relevance to the construction of Executive Order 8979,

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<sup>13</sup> In the covering letter forwarding his affidavit to us (printed in the appendix, *infra*, pp. 1a-2a), the Manager states that those six leases did not comply with the requirements of the refuge-leasing regulation then in force (the 1947 version, Pet. Br. 3a) and seem to have been issued in the mistaken belief that the lands were "outside the boundary" of the withdrawn area, the mistake being attributable to the "ambiguous nature of the boundary line on the old maps used during that period."

they fail ever to return and consider their relevance to the construction of Public Land Order 487. Nor, of course, is respondents' distinction of those leases in any way responsive to our opening brief, since we there carefully separated the leases issued in the areas subject to the two different withdrawal orders.

3. There is another, and still more important, respect in which respondents' treatment of the leasing actions in the Range is incomplete. The leasing actions we relied upon to establish the consistent administrative practice were not limited to leases actually issued prior to 1958. An equally important fact was that throughout the period involved the Department did not reject any of the hundreds of applications filed on the relevant areas (as it would have done if it had considered the areas to be "closed") but to the contrary it accepted the applications for filing, initially processed them, and then withheld final action on them pending resolution of the question whether, and to what extent, new regulations should be adopted limiting leasing in the Range (see Pet. Br. 12, 19-21). When the new regulations were issued in 1958, the previously-filed applications (covering almost the entire Range) were promptly acted upon, and 294 leases covering 621,234 acres were issued in the area withdrawn by Executive Order 8979 (Sch. I(B)). An additional 51 leases covering 74,401 acres were also issued at that time in the area withdrawn by Public Land Order 487 (on applications filed prior to September 9, 1955, the date that order was revoked) (items 22-72 of Sch. II(B)). Despite

the overwhelming demonstration of the consistent administrative practice which that action affords, it is wholly ignored by respondents.

4. At page 12, note 8, of their brief, respondents take note of our argument that the absence of general leasing in the Range prior to 1958 was attributable only to the fact that final action on the pending applications had been suspended pending new regulations (see Pet. Br. 19-21) and not to a belief that Executive Order 8979 had "closed" the area to leasing. Respondents then state that: "It is curious, however, that the Department issued leases in the excepted portion of the Range prior to 1958 by making individual waivers of the suspension orders, but never followed a similar procedure with respect to the withdrawn area of the Range." What is curious, we suggest, is respondents' ability to ignore even facts which they themselves acknowledge elsewhere in their brief—in this instance, the committee-approved "waiver" of the suspension in order to permit the 1956 leasing of the Swanson River Unit, located entirely within "the withdrawn area of the Range" (see Pet. Br. 16, 19-21).

### III

THE CASES CITED DO NOT SUPPORT RESPONDENTS' CONSTRUCTION OF "SETTLEMENT, LOCATION, SALE OR ENTRY" AS INCLUDING MINERAL LEASING.

To establish that a withdrawal of lands <sup>from</sup> ~~for~~ "settlement, location, sale or entry"—the language common to both Executive Order 8979 and Public Land Order 487—closes the lands to leasing under the Mineral

Leasing Act of 1920, respondents rely upon *Wilbur v. Barton*, 46 F. 2d 217 (C.A.D.C.), affirmed, 283 U.S. 414, and *Bourdiou v. Pacific Oil Co.*, 299 U.S. 65 (Br. 28-30). Neither case supports the conclusion.

1. To place *Wilbur v. Barton* in context requires a word of history. Until the 1920 Act, oil and gas rights in the public lands were acquired in the same way as other minerals—i.e., by placer mining locations. Anyone was free to go upon the public lands, stake out a location, and prospect for oil or other minerals. Upon making a "discovery," he became entitled as of right to a patent to the land as well as the minerals. In 1909, because of a fear that oil reserves were being too rapidly depleted by extensive exploitation taking place primarily in California, the President issued a Proclamation providing that:

In aid of proposed legislation affecting the use and disposition of the petroleum deposits on the public domain, all public lands in [a defined area of over 3 million acres in California and Wyoming] \* \* \* are hereby temporarily withdrawn from all forms of location, settlement, selection, filing, entry, or disposal under the mineral or nonmineral public-land laws. \* \* \* [236 U.S. at 467.]

The power of the President to make the withdrawal was challenged and was ultimately upheld by this Court in 1915 in *United States v. Midwest Oil Co.*, 236 U.S. 459, primarily on the grounds of the lack of any vested private rights (i.e., prior to location), the general power of the Executive to manage the public domain, and the long-continued practice of making



such withdrawals. In the meantime, however, Congress passed the so-called "Pickett Act" of June 25, 1910 (36 Stat. 847, 43 U.S.C. 141-142), to remove any doubts about the matter for the future. That Act provided that:

The President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry, any of the public land \* \* \* and reserve the same for water-power sites, irrigation, classification of lands, or other public purposes to be specified in the orders of withdrawal \* \* \*.

It is to be noted (1) that the legislation was precipitated by an order promulgated by the President specifically for the purpose of preventing the private acquisition of rights to petroleum deposits in the public domain and (2) that the methods of acquisition enumerated in the Act were fully appropriate to include the means by which such rights were acquired at that time (by "location").

The Mineral Leasing Act of 1920 changed the method by which oil and gas rights in public lands could be acquired. No longer could rights to both the minerals and land be acquired by autonomous private action (*i.e.*, locations). Instead, the Secretary was empowered to issue prospecting permits and then required, if a discovery were made under the permit, to issue a lease which entitled the lessee to extract the discovered mineral from the land but gave him no right to the land itself.<sup>13</sup> In 1929, because

<sup>13</sup> In 1935, the prospecting permit procedure was eliminated and the present direct leasing procedure substituted. Act of August 21, 1935, 49 Stat. 676.



of an overproduction of oil, the Secretary of Interior issued a nationwide order directing the land offices to reject all pending permit applications and not to receive any further applications. It was that order that was challenged in *Wilbur v. Barton*. The court of appeals upheld the order on alternative grounds: (1) that it was authorized by the Pickett Act; and (2) that the Leasing Act in any event merely "authorized" and did not require the issuance of permits. 46 F. 2d 217. This Court, as respondents note (Br. 30), affirmed the decision. As they fail to note, however, it did so, not on the Pickett Act ground, but on the ground that the Leasing Act itself was permissive rather than mandatory (more precisely, that the Secretary's construction of it as being permissive was "plausible" and hence controlling). 283 U.S. 414.

Even though this Court did not endorse it, however, we note that the court of appeals' holding that authority for the order could, if necessary, be found in the Pickett Act seems to us entirely defensible. To be sure, the language of the Act did not readily include leasing, but the Act had plainly been intended to authorize withdrawals of petroleum deposits from private development (the occasion, indeed, for its enactment), and the subsequent change in the method of acquisition of oil and gas rights (from "location" to "leasing") afforded no reason to suppose that Congress meant to terminate that basic power. As the court of appeals said, "the act of 1910 was intended to be of wide scope" (46 F. 2d at 220); a niggardly interpretation of it, which failed to take account of

the intervening change in the form of grant of mineral rights, would plainly have been inappropriate.

We accordingly do not dispute the proposition that the Pickett Act, having been intended to authorize withdrawals of petroleum deposits from private development (and using language appropriate to the form of acquisition in use at the time), continued to authorize such withdrawals even after a change in the form of acquisition left its language literally inappropriate, for that is hardly a unique feat of statutory construction. But that in no way proves the proposition for which the case is cited by respondents: that the words "settlement, location, sale or entry" *per se* include mineral leasing, even when used in an order issued *after* the adoption of the Mineral Leasing Act and thus at a time when oil and gas rights were no longer acquired by "location." "A word is not a crystal, transparent and unchanged: it is the skin of a living thought and may vary greatly in color and content according to the circumstances and time in which it is used." *Towne v. Eisner*, 245 U.S. 418, 425. If the Leasing Act had been in force in 1910, the circumstances would have been different and Congress itself would plainly have used different words to describe the acquisition of mineral rights, for the simple and indisputable fact is that an application for a lease is *not* a "location." And unlike the Pickett Act, the orders involved in this case *were* issued after the Mineral Leasing Act was in effect and therefore at a time when "location" was not an apt word to include the acquisition of oil and gas rights. Had the Secretary

meant to include the latter, he would have used the words appropriate to the task at the time of his order—to wit, “mineral leasing”—as he in fact does when he wishes his order to have that effect (see pp. 31-32, *infra*). He plainly would not have relied, unnecessarily and foolishly, upon the process of interpretation that it was necessary to go through to adapt the outmoded language of the Pickett Act (as applied to the acquisition of oil and gas rights) to changed conditions. The point is not that Congress and the Secretary used the words differently—“location” means the same thing today that it did in 1910—but that the acquisition of oil and gas rights has since been taken out of the categories defined by those words.

2. Respondents state that in *Bourdieu v. Pacific Oil Co.*, 299 U.S. 65, the Court “construed an Executive Order containing language virtually identical to that in Public Land Order No. 487 to close the land to mineral leasing” (Br. 30). Neither the issue nor the language was the same. A 1910 Executive Order had provided that certain lands “are hereby withdrawn from settlement, location, sale or entry, and reserved for classification and in aid of legislation affecting the use and disposal of petroleum lands.” A 1914 statute provided that lands “withdrawn or classified” as, *inter alia*, “oil” lands could be entered upon with a view to obtaining a patent “with a reservation to the United States of the deposits on account of which the lands were withdrawn or classified.” In 1919, the plaintiff made an entry, specifically pursuant to the 1914 stat-

ute, on lands subject to the 1910 Executive Order. If the lands were "not withdrawn or classified as mineral at the time of entry," he was entitled to a preference under § 20 of the Mineral Leasing Act of 1920 (41 Stat. 437, 445) in the issuance of any prospecting permit or lease under that Act. The Court held that the land had been "withdrawn \* \* \* as mineral" by the 1910 Executive Order, so that the plaintiff was not entitled to a preference. Not only was the language of that Executive Order significantly different from Public Land Order 487 (in its specific reference to "petroleum" as the occasion for the withdrawal), but the Court did *not* hold that the lands were "closed" to leasing under the Mineral Leasing Act. In fact, the lands *had* been leased under that Act, and the only question was whether the surface entryman had a preferential right to the lease, which the Court held he did not.

#### IV

##### MISCELLANEOUS

1. At page 23-24, note 19, respondent quote § 71.1 of the regulations as though it were in Part 51, entitled "Public Land Laws Applicable to Alaska." As its number suggests, § 71.1 is actually in Part 71, entitled "Mineral Lands; Oil and Gas \* \* \* Permits and Leases."<sup>14</sup> The same misrepresentation made to the court of appeals found its way into the court's opinion (see R. 88). The matter does not seem to us of much significance, but it does to respondents and is symptomatic of their use of materials.

<sup>14</sup> See 43 C.F.R., Part 71 (1938, 1949 and 1954 editions).

2. For our reply to the substance of respondents' arguments over the particular wording of the withdrawal provision of Executive Order 8979 (Br. 22-28)—*e.g.*, the significance of the reference to "fish trap sites", the meaning of "public land laws applicable to Alaska", the significance of the express provision making the lands not subject to "lease" under the cited fur-farming and grazing statutes—we rely generally on the Richfield-Standard *amicus* brief, which develops those points (at pp. 19-29) much more extensively than did our opening brief. An additional word may be warranted, however, in response to the new significance respondents attach to the proviso that the reservation and use as a part of the Range of the "excepted lands" (*i.e.*, those not withdrawn from settlement by Executive Order 8979) "shall be without interference with the *use and disposition thereof* pursuant to the public land laws applicable to Alaska" (respondents' emphasis). Respondents' argument, as we understand it, is that the use of "use and disposition" in the proviso proves that "disposition" when used alone in the withdrawal provision included "use" (Br. 5, 23). Under all the normal rules of construction, of course, it proves just the opposite: that "use" and "disposition" of land were used to describe different things. We note also that if "public land laws applicable to Alaska" means only laws of general application throughout the United States and excludes laws applicable only to Alaska—which respondents claim it means in the

withdrawal clause (Br. 26-27) "—the anomalous result would be that the "excepted lands" would not, under the proviso, be subject to "use and disposition" under any of the special laws applicable only to Alaska.

3. We admitted in our opening brief (pp. 29-31) that the reference to "mineral leasing" in paragraphs 6 and 7 of Public Land Order 1212—in prescribing the dates upon which the revocation of Public Land Order 487 would become effective—seemed to reflect a premise that Public Land Order 487 had closed the area to leasing. We went on to show, however, that the error was promptly caught and corrected by an amendment deleting the references to "mineral leasing" in those paragraphs. Respondents reply that the implication that the lands were previously closed arises, not from the references to "mineral leasing" in paragraphs 6 and 7, but from the presence of the single word "application" in paragraph 4, which word was not deleted by the amendment (Br. 38-41). The argument is, we submit, frivolous on its face. Respondents are also wrong in saying that the amendment was not made until "about 9 months later" (Br. 30)—in which event, the order would have already gone into effect. Public Land Order 1212 was issued on September 9, 1955 (20 F.R. 6795); the amendment, on October 14, 1955 (20 F.R. 7904), only 35 days later.

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<sup>15</sup> Respondents' argument seems to be based on reading "public land laws" to mean "*public laws* dealing with land" rather than, as it obviously does mean, "*laws* dealing with *public* land."



and *before* the order went into effect. Finally, we wish to emphasize that those orders are in any event relevant only to respondent Coyle's case and have no bearing whatever on the main issue in the case—the status of the lands withdrawn by Executive Order 8979.

4. In an argument by innuendo, respondents recite at length in their Statement the facts and regulations relating to the drawing among the offers “simultaneously” filed during the period August 14–24, 1958 (Br. 14–16), and then later state that, in the drawing, they “were selected as the first qualified applicants” only to have their applications rejected (Br. 46). We showed in our opening brief that the sole function of the drawing, as was made plain by the order establishing the simultaneous-filing period, was to determine the priority (and hence order of processing) as among the offers “simultaneously” filed during that period. The drawing had nothing to do with the priority of the 1958 applications vis-a-vis the pre-1958 applications, which the order expressly directed were to be processed first (see Pet. Br. 22–24 and notes).

5. Respondents repeatedly emphasize the words “open” “opened” and “opening” whenever used in the order of August 2, 1958, or in the press release of January 29, 1958, announcing the forthcoming order (Br. 13–14, 45). The usage is readily explicable. Not only had general instructions not to take final action on lease applications in the Range been outstanding ever since 1953, but the new regulations issued on January 8, 1958, had expressly provided



that no new applications "will \* \* \* be accepted for filing" until after a subsequent order was issued "specifying those lands which shall not be subject to oil and gas leasing" (§ 192.9(b)(3), (c), Pet. Br. 7a, 8a). The subsequent order of August 2, 1958, therefore, did "open" the Range to leasing in at least two senses: (1) it terminated the "suspension" of leasing that had been in effect since 1953; and (2) it terminated the prohibition on new filings that had been in effect since January 8, 1958. But as shown in our opening brief, nothing said either in or about the 1958 regulation and its implementing order carries any implication that the lands had been "closed" to leasing by Executive Order 8979; to the contrary, the order of August 2, 1958, expressly assumed that the pending pre-1958 applications had been validly filed and directed their immediate processing (see Pet. Br. 21-24).

6. Throughout their brief, respondents refer to the Griffin group of applicants as "representatives of certain major oil companies" (Br. 2, 7, 15, 37, 38, 43, 46, 47). Nothing in the record supports the statement, and we are advised by *amici* that none of the Griffin group of applicants were acting as "representatives" of the oil companies at the time their applications were filed.<sup>16</sup> In any event, it matters not who the applicants were; the only question is whether the lands were open for leasing at the time the applications were filed.

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<sup>16</sup> While we stated in our reply to the brief in opposition (p. 9, n. 9) that the Griffin applicants had "no" relationship to the companies, some of the applicants may have been associated with one or more of the oil companies in other matters.

7. Respondents' list of 146 orders, issued between 1936-1959, expressly permitting mineral leasing (Br. 4, 30-31, 34, 40, 7a-10a) in no way proves that orders silent on the matter bar mineral leasing. The *amici* cite an even greater number, issued over a much shorter period of time (1940-1952), which expressly *forbid* mineral leasing (Marathon-Union Br. 6A-7A). Most of the orders cited by respondents prior to 1944 are explicable by their special circumstances.<sup>17</sup> The explanation of the others seems to be that, at about that time, the Department began to use with regularity a simpler form of withdrawal order which withdrew the lands either "from all forms of appropriation, including the mining *but not* the mineral leasing laws" (Resp. Br. 7a, items 8-21; 8a-10a, items 16-125)<sup>18</sup> or "from all forms of appropriation, including the mining *and* the mineral leasing laws" (Marathon-Union Br. 6A-7A). While such specificity either way is desirable, a mere listing of the two

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<sup>17</sup> Most of the withdrawals were for the purpose of creating grazing districts and game ranges (usually combined as a dual purpose). Section 6 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272, 43 U.S.C. 315e), to which the withdrawals were subject, provided that nothing in the Act "shall restrict prospecting, locating, developing, mining, entering, leasing or patenting the natural resources of" the land; it is not surprising that many of the withdrawals track the language of that statute (Resp. Br. 4 n. 1; 7a, items 1, 2, 5, 6; 8a, items 1-14). In others, the lands were known to be in an oil and gas field or to be valuable for oil and gas, and it was appropriate to make special provisions for their development (Br. 7a, items 3, 4, 7).

<sup>18</sup> That is the form of the small withdrawal made in paragraph 2 of Public Land Order 1212, upon which respondents place great weight (Br. 38-40). While Public Land Order 487 was still outstanding, however, several other parts of it

classes of orders proves little about what is meant by an order that does not mention mineral leasing. And, as shown in our opening brief, the Department's practice has always been to construe orders as not forbidding the use of the land for mineral development unless they specifically so provide."

were withdrawn, by other orders, "from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws" (Public Land Order 751, Sept. 6, 1951, 16 F.R. 9044; Public Land Order 778, Jan. 5, 1952, 17 F.R. 159), a fact which has exactly the contrary implications (if any are indeed to be drawn).

<sup>20</sup> To support a contrary claim, respondents cite *Mary E. Brown*, 62 I.D. 107; *Devereil W. Dimond*, 62 I.D. 260; and *G. E. Kadane & Sons*, 65 I.D. 446 (Br. 33, nn. 32 and 34). As is clear from the opinions, those cases all involved withdrawals of land for Indian purposes, in which case they are not treated as "public" lands and are governed by different considerations. See 34 Op. A. G. 171.

Respondents also cite *D. Miller*, 60 I.D. 161 (Br. 34 and n. 36). The decision is not in point. The lands involved had not only been withdrawn from "settlement, location, sale or entry" (the words quoted by respondents) but had been reserved for the "exclusive use" of the Navy Department. At the time Miller's application to lease was filed (in 1944), § 1 of the Mineral Leasing Act expressly excluded from the Act any "lands withdrawn or reserved for military or naval uses or purposes" (41 Stat. 437). For that reason it was obvious that the lands were not then available for leasing, and Miller did not even argue the contrary. Subsequently, however, the exclusion of military reservations was deleted from the Leasing Act (by the Act of August 8, 1946, 60 Stat. 950). What the *Miller* decision was about, and all it was about, was whether Miller's application should be rejected because it was filed when the lands were not available for leasing (as the Solicitor held) or was validated upon the lands later becoming available for leasing. The subsequent decision in *Noel Teuscher*, 62 I.D. 210—which respondents cite as "overruling" *Miller*—merely held that after the 1946 amendment to the Act the lands were of course available for leasing, thus confirming, in accordance with the Department's consistent prac-

## CONCLUSION

For the reasons stated above and in our opening brief, the judgment of the court of appeals should be reversed.

Respectfully submitted.

ARCHIBALD COX,  
*Solicitor General.*

WAYNE G. BARNETT,  
*Assistant to the Solicitor General.*

ROGER P. MARQUIS,  
EDMUND CLARK,  
*Attorneys.*

OCTOBER 1964.

tice, that the language of the *withdrawal order* ("settlement, location, sale or entry") did not itself prevent leasing.



## APPENDIX

### UNITED STATES DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

Anchorage District & Land Office  
555 Cordova Street  
Anchorage, Alaska 99501

In reply refer to: DM 3120

OCTOBER 9, 1964.

MR. WAYNE G. BARNETT  
*Assistant to Solicitor General*  
*Department of Justice*  
*Washington, D.C.*

DEAR MR. BARNETT:

On page twelve of petitioner's brief you mention leases issued as early as 1953, to substantiate the argument that the Department has always considered the Kenai National Moose Range open to leasing. The fact that we have leases, other than those within the Swanson River Unit, (approved July 31, 1956) issued inside the Range<sup>1</sup> prior to 1958, is due to the ambiguous nature of the boundary line on the old maps used during that period of time. According to regulation 43 CFR 192.9 then in effect, the only leases which could issue were those within approved unit plans or those which contained a provision to prohibit drilling on refuge lands except when consented to by the Secretary.

Other than the Swanson River leases, identified on Schedule 1(a) as number 7-37 inclusive, the leases shown to be issued within the Range<sup>1</sup> prior to 1958

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<sup>1</sup> Main body of Kenai National Moose Range not open to settlement.



were issued in error as they meet neither provision of the cited regulation and were issued only because it was thought at the time that they were outside the boundary. I mention this particularly since Mr. Tallman has checked these leases quite carefully and questioned the cause of their issuance.

All of the information reflected on the attached schedule can be obtained from the plat books except the application date of the offers. We have therefore added a second column to reflect the serial book in which the narrative of the status of the case record is reflected which includes offer date.

Even though decimal figures are shown, unsurveyed areas included in the total acreage are close approximations.

Sincerely yours,

James W. Scott,

JAMES W. SCOTT,

*Manager, Anchorage District and Land Office.*

**Attachments: Schedule I, II and III.**

In reply refer to:

*Affidavit*

STATE OF ALASKA,

*Third Judicial District, ss:*

James W. Scott, being first duly sworn, on oath deposes and says:

1. That he is the Manager of the Land Office, Bureau of Land Management, Department of the Interior, Anchorage, Alaska.

2. That in his capacity as Manager, he is custodian of the official records of said Land Office, pursuant to authority vested in the Secretary of the Interior (43 U.S.C. sec. 12) and delegated to Land Office Managers by Departmental Manual 235.1.1 and Bureau Order No. 701, sec. 2.2.

3. That the information set forth in Schedule I, II, and III attached hereto, accurately reflects the information contained in the official records maintained in this Land Office, which records are available for inspection by the public during regular business hours. 43 CFR 2.1 (revised Jan. 1, 1964).

James W. Scott,  
JAMES W. SCOTT,

*Manager, Anchorage District and Land Office.*

Subscribed and sworn to before me this 9th day of October, 1964. Mae M. Femmer, Notary Public in and for Alaska. My commission expires: Oct. 4, 1965.

## SCHEDULE I

OIL AND GAS LEASES ISSUED IN THE AREA WITHIN KENAI NATIONAL MOOSE RANGE WHICH WAS WITHDRAWN FROM SETTLEMENT BY EXECUTIVE ORDER 8979 (DECEMBER 6, 1941, 6 F.R. 6471)

## A. Leases issued prior to January 8, 1958

Serial No.	Application date	Lease date	Acreage	Township and range	Plat book No.	Serial book No.
1. 024159 <sup>1</sup>	5/21/1953	10/1/1953	15.00	1 S., 11 W.	B-62	58
2. 020762 <sup>1 2</sup>	5/21/1954	9/1/1954	650.00	2 S., 10 W.	B-62	69
3. 026745 <sup>1 2</sup>	5/21/1954	11/1/1954	300.00	1 S., 10 W.	B-62	68
4. 026766 <sup>1</sup>	5/21/1954	11/1/1954	80.00	3 S., 10 W.	B-62	60
5. 029904 <sup>1 2</sup>	3/1/1955	4/1/1955	2,160.00	2 S., 9 & 10 W.	B-62	79
6. 028060 <sup>1 2</sup>	10/15/1954	11/1/1955	561.19	4 N., 10 W.	B-20	74
7. 028076	10/15/1954	9/1/1956	480.00	8 N., 9 W.	B-19	74
8. 028077	10/15/1954	9/1/1956	2,400.00	8 N., 9 W.	B-19	74
9. 028116	10/15/1954	9/1/1956	480.00	8 N., 10 W.	B-20	74
10. 028384	11/29/1954	9/1/1956	2,560.00	8 N., 9 W.	B-19	75
11. 028395	11/29/1954	9/1/1956	2,560.00	10 N., 7 W.	B-17	75
12. 028396	11/29/1954	9/1/1956	2,560.00	7 & 8 N., 9 W.	B-17	75
13. 028397	11/29/1954	9/1/1956	2,560.00	9 N., 8 W.	B-18	75
14. 028398	11/29/1954	9/1/1956	2,560.00	9 & 10 N., 8 W.	B-19	75
15. 028399	11/29/1954	9/1/1956	1,760.00	8 N., 9 W.	B-20	75
16. 028400	11/29/1954	9/1/1956	2,560.00	8 N., 8 & 9 W.	B-18, B-19	75
17. 028401	11/29/1954	9/1/1956	2,560.00	9 N., 8 W.	B-18	75
18. 028402	11/29/1954	9/1/1956	2,560.00	8 N., 8 W.	B-18	75
19. 028403	11/29/1954	9/1/1956	2,560.00	8 N., 8 & 9 W.	B-18, B-19	75
20. 028404	11/29/1954	9/1/1956	2,560.00	9 N., 9 W.	B-18, B-19	75
21. 028405	11/29/1954	9/1/1956	2,560.00	8 N., 9 W.	B-19	75
22. 028406	11/29/1954	9/1/1956	2,400.00	8 N., 9 W.	B-19	75
23. 028407	11/29/1954	9/1/1956	2,560.00	9 N., 8 & 9 W.	B-18, B-19	75
24. 028408	11/29/1954	9/1/1956	2,560.00	9 N., 8 W.	B-18	75
25. 028409	11/29/1954	9/1/1956	1,120.00	7 N., 10 W.	B-20	75
26. 028410	11/29/1954	9/1/1956	2,560.00	9 N., 8 W.	B-18	75
27. 028411	11/29/1954	9/1/1956	2,560.00	9 N., 8 W.	B-18	75
28. 028412	11/29/1954	9/1/1956	2,560.00	9 N., 7 & 8 W.	B-17, B-18	75
29. 028413	11/29/1954	9/1/1956	2,560.00	9 N., 7 W.	B-17	75
30. 028414	11/29/1954	9/1/1956	2,560.00	10 N., 7 & 8 W.	B-17, B-18	75
31. 028415	11/29/1954	9/1/1956	2,560.00	9 N., 7 & 8 W.	B-17, B-18	75
32. 028416	11/29/1954	9/1/1956	2,560.00	9 N., 7 W.	B-17	75
33. 028417	11/29/1954	9/1/1956	2,560.00	10 N., 7 W.	B-17	75
34. 028418	11/29/1954	9/1/1956	2,560.00	10 N., 7 W.	B-17	75
35. 028419	11/29/1954	9/1/1956	2,560.00	10 N., 7 W.	B-17	75
36. 028131 <sup>1</sup>	10/15/1964*	1/1/1957	1,760.00	8 N., 10 W.	B-20	74
37. 028132 <sup>1</sup>	10/15/1964*	1/1/1957	2,400.00	8 N., 9 W.	B-19	74
Total acreage leased.			75,446.19			

<sup>1</sup> Lease later subdivided into two or more leases.

<sup>2</sup> Lease covers additional acreage not within the described area.

<sup>3</sup> Lease later modified to reduce the area leased. The acreage given is of the area originally leased.

\* So in original. Should be "1954."

## SCHEDULE I

**OIL AND GAS LEASES ISSUED IN THE AREA WITHIN KENAI  
NATIONAL MOOSE RANGE WHICH WAS WITHDRAWN FROM SET-  
TLEMENT BY EXECUTIVE ORDER 8979 (DECEMBER 6, 1941, 6 F.R.  
• 6471)—Continued**

*B. Leases issued after August 14, 1958 on applications filed prior to  
January 8, 1958*

[NOTE: Leases in conflict with respondents' applications are printed in boldface]

Serial No.	Applica- tion Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
1. 028571	12/20/1964	9/1/1968	2,560.00	10 N., 8 W.,	B-18	76
2. 028572	12/20/1964	9/1/1968	2,250.13	10 N., 8 W.,	B-18	76
3. 028570	12/20/1964	9/1/1968	1,235.95	10 N., 7 & 8 W.,	B-17, B-18	76
4. 028569	12/20/1964	9/1/1968	2,560.00	10 N., 7 & 8 W.,	B-17, B-18	76
5. 028566	12/20/1964	9/1/1968	2,293.19	10 N., 7 W.,	B-17	76
6. 028567	12/20/1964	9/1/1968	2,560.00	10 N., 7 W.,	B-17	76
7. 028582	12/21/1964	9/1/1968	2,560.00	10 N., 6 & 7 W.,	B-16, B-17	76
8. 028562	12/20/1964	9/1/1968	2,560.00	10 N., 6 & 7 W.,	B-16, B-17	76
9. 029147	2/15/1955	9/1/1968	1,280.00	10 N., 6 & 7 W.,	B-17	78
10. 028568	12/20/1964	9/1/1968	2,351.91	9 N., 9 W.,	B-19	76
11. 028560	12/20/1964	9/1/1968	2,550.28	9 N., 8 & 9 W.,	B-18, B-19	76
12. 028564	12/20/1964	9/1/1968	1,760.00	9 N., 9 W.,	B-19	76
13. 028561	12/20/1964	9/1/1968	1,948.06	9 N., 9 W.,	B-19	76
14. 028563	12/20/1964	9/1/1968	2,240.00	9 N., 9 W.,	B-19	76
15. 028565	12/20/1964	9/1/1968	2,560.00	9 & 10 N., 8 W.,	B-18	76
16. 029154	2/15/1955	9/1/1968	1,600.00	9 N., 7 & 8 W.,	B-17, B-18	78
17. 029149	2/15/1955	9/1/1968	2,400.00	9 N., 7 W.,	B-17	78
18. 029150	2/15/1955	9/1/1968	2,560.00	9 N., 7 W.,	B-17	78
19. 029151	2/15/1955	9/1/1968	2,560.00	9 N., 7 W.,	B-17	78
20. 029152	2/15/1955	9/1/1968	2,560.00	9 N., 7 W.,	B-17	78
21. 029153	2/15/1955	9/1/1968	2,560.00	9 N., 7 W.,	B-17	78
22. 029146	2/15/1955	9/1/1968	1,600.00	9 N., 7 W.,	B-17	78
23. 028633	12/22/1964	9/1/1968	2,560.00	9 & 10 N., 6 & 7 W.,	B-16, B-17	76
24. 029148	2/15/1955	9/1/1968	2,560.00	9 N., 8 W.,	B-16	78
25. 028115	10/15/1964	9/1/1968	1,290.00	8 N., 10 W.,	B-20	74
26. 028990	1/28/1955	9/1/1968	2,400.00	8 N., 9 W.,	B-19	77
27. 032907	10/15/1964	9/1/1968	2,080.00	8 N., 9 W.,	B-19	93
28. 032908	10/15/1964	9/1/1968	160.00	8 N., 9 W.,	B-19	93
29. 028987	1/28/1955	9/1/1968	960.00	8 N., 8 W.,	B-18	77
30. 029171	2/15/1955	9/1/1968	2,560.00	8 N., 8 W.,	B-18	78
31. 029173	2/15/1955	9/1/1968	2,560.00	8 N., 8 W.,	B-18	78
32. 029170	2/15/1955	9/1/1968	2,560.00	8 N., 8 W.,	B-18	78
33. 029172	2/15/1955	9/1/1968	2,560.00	8 N., 8 W.,	B-18	78
34. 029164	2/15/1955	9/1/1968	2,660.00	8 N., 7 W.,	B-17	78
35. 029162	2/15/1955	9/1/1968	2,560.00	8 N., 7 W.,	B-17	78
36. 029163	2/15/1955	9/1/1968	2,560.00	8 N., 7 W.,	B-17	78
37. 029155	2/15/1955	9/1/1968	2,400.00	8 N., 7 & 8 W.,	B-17, B-18	78
38. 029161	2/15/1955	9/1/1968	2,560.00	8 N., 7 W.,	B-17	78
39. 029159	2/15/1955	9/1/1968	2,560.00	8 N., 7 W.,	B-17	78
40. 029160	2/15/1955	9/1/1968	2,560.00	8 N., 7 W.,	B-17	78
41. 029168	2/15/1955	9/1/1968	2,660.00	8 N., 7 W.,	B-17	78
42. 028114	10/15/1964	9/1/1968	1,130.00	6 N., 11 W.,	B-22	74
43. 028989	1/28/1955	9/1/1968	2,560.00	6 N., 10 W.,	B-20	77
44. 028118	10/15/1964	9/1/1968	2,560.00	6 N., 10 W.,	B-20	74
45. 028078	10/15/1964	9/1/1968	2,560.00	6 N., 10 W.,	B-20	74
46. 028079	10/15/1964	9/1/1968	2,530.00	6 N., 10 W.,	B-20	74

See footnotes at end of table p. 10a.

**B. Leases issued after August 14, 1958 on applications filed prior to January 8, 1958—Continued**

[Note: Leases in conflict with respondents' applications are printed in boldface]

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
47. 028963	1/21/1955	9/1/1958	2,580.00	6 N., 9 & 10 W.,	B-19, B-20	77
48. 028964	10/15/1964	9/1/1958	2,580.00	6 N., 10 W.,	B-20	74
49. 028119	10/15/1964	9/1/1958	2,580.00	6 N., 10 W.,	B-20	74
50. 028943	11/30/1963	9/1/1958	230.00	7 N., 11 W.,	B-22	66
51. 028187	10/22/1964	9/1/1958	1,620.00	7 N., 11 W.,	B-22	74
52. 028186	10/22/1964	9/1/1958	2,140.00	7 N., 11 W.,	B-22	74
53. 028085	10/15/1964	9/1/1958	2,580.00	7 N., 10 W.,	B-20	74
54. 028121	10/15/1964	9/1/1958	1,280.00	7 N., 10 W.,	B-20	74
55. 028084	10/15/1964	9/1/1958	2,580.00	7 N., 10 W.,	B-20	74
56. 028084	1/28/1955	9/1/1958	2,580.00	7 N., 10 W.,	B-20	77
57. 028085	1/28/1955	9/1/1958	2,580.00	7 N., 10 W.,	B-20	77
58. 028083	10/15/1964	9/1/1958	2,580.00	7 N., 10 W.,	B-20	74
59. 028120	10/15/1964	9/1/1958	2,580.00	7 N., 10 W.,	B-20	74
60. 028087	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
61. 028082	1/30/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
62. 028085	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
63. 028083	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
64. 028002	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	78
65. 028086	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
66. 028092	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
67. 028094	1/28/1955	9/1/1958	2,580.00	7 N., 9 W.,	B-19	77
68. 028096	1/28/1955	9/1/1958	1,120.00	7 N., 9 W.,	B-19	77
69. 028099	1/28/1955	9/1/1958	2,580.00	7 & 8 N., 8 W.,	B-18	77
70. 028046	1/28/1955	9/1/1958	2,580.00	7 & 8 N., 8 W.,	B-18	78
71. 028048	1/28/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
72. 028174	2/15/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
73. 028175	2/15/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
74. 028049	1/28/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
75. 028003	1/28/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
76. 028045	1/28/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
77. 028043	1/28/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
78. 028176	2/15/1955	9/1/1958	2,580.00	7 N., 8 W.,	B-18	78
79. 028157	2/15/1955	9/1/1958	2,580.00	7 N., 7 W.,	B-17	78
80. 028103	10/15/1964	9/1/1958	2,486.23	4 N., 10 W.,	B-20	74
81. 028949	10/15/1964	9/1/1958	1,920.00	4 N., 10 W.,	B-20	74
82. 028064	1/ 3/1955	9/1/1958	2,580.00	3 & 4 N., 10 W.,	B-20	76
83. 028065	1/ 7/1955	9/1/1958	2,580.00	4 N., 10 W.,	B-20	76
84. 028051	10/15/1964	9/1/1958	2,580.00	4 N., 9 W.,	B-19	74
85. 028110	10/15/1964	9/1/1958	2,580.00	4 N., 9 W.,	B-19	74
86. 028050	10/15/1964	9/1/1958	2,580.00	4 N., 9 W.,	B-19	74
87. 028712	1/10/1955	9/1/1958	2,580.00	4 N., 9 W.,	B-19	76
88. 028067	1/21/1955	9/1/1958	1,920.00	4 N., 9 W.,	B-19	77
89. 028065	1/14/1955	9/1/1958	2,580.00	4 N., 9 W.,	B-19	77
90. 028083	10/15/1964	9/1/1958	2,545.00	3 N., 11 W.,	B-22	74
91. 028123	10/15/1964	9/1/1958	140.00	3 N., 11 W.,	B-22	74
92. 028094	10/15/1964	9/1/1958	1,300.00	3 N., 11 W.,	B-22	74
93. 028094	12/22/1964	9/1/1958	640.00	3 N., 11 W.,	B-22	76
94. 028081	1/28/1955	9/1/1958	2,580.00	6 N., 9 & 10 W.,	B-19, B-20	78
95. 028081	10/15/1964	9/1/1958	2,580.00	6 N., 9 W.,	B-19	74
96. 028082	10/15/1964	9/1/1958	2,580.00	6 N., 9 W.,	B-19	74
97. 028086	1/28/1955	9/1/1958	2,580.00	6 N., 9 W.,	B-19	78
98. 028088	1/28/1955	9/1/1958	2,580.00	6 N., 9 W.,	B-19	77

See footnotes at end of table, p. 10a.

**B. Leases issued after August 14, 1958 on applications filed prior to January 8, 1958—Continued**

[NOTE: Leases in conflict with respondents' applications are printed in boldface]

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
90. 028002	1/21/1955	9/1/1958	646.00	6 N., 9 W.,	B-19	77
100. 028004	1/28/1955	9/1/1958	2,580.00	6 N., 9 W.,	B-19	77
101. 028001	1/28/1955	9/1/1958	2,580.00	6 N., 9 W.,	B-19	77
102. 028003	1/28/1955	9/1/1958	2,580.00	6 N., 9 W.,	B-19	77
103. 028044	2/ 3/1955	9/1/1958	2,580.00	6 N., 8 W.,	B-19	78
104. 028040	2/ 3/1955	9/1/1958	2,580.00	6 N., 8 W.,	B-19	78
105. 028006	10/15/1954	9/1/1958	2,580.00	6 N., 8 W.,	B-19	74
106. 028122	10/15/1954	9/1/1958	2,580.00	6 N., 8 W.,	B-19	74
107. 028041	2/ 3/1955	9/1/1958	2,580.00	6 N., 8 W.,	B-19	78
108. 028042	2/ 3/1955	9/1/1958	2,580.00	6 N., 8 W.,	B-19	78
109. 028047	2/ 3/1955	9/1/1958	2,580.00	6 N., 8 W.,	B-19	78
110. 029156	2/15/1955	9/1/1958	1,920.00	7 N., 7 W.,	B-17	78
111. 029180	2/15/1955	9/1/1958	2,580.00	7 N., 7 W.,	B-17	78
112. 028064	10/15/1954	9/1/1958	638.30	4 N., 11 W.,	B-22	74
113. 028117	10/15/1954	9/1/1958	960.00	4 N., 11 W.,	B-22	74
114. 028610	12/22/1954	9/1/1958	1,920.00	1 N., 10 & 11 W.,	B-20, B-22	76
115. 028503	12/22/1954	9/1/1958	2,240.00	1 N., 10 W.,	B-20	76
116. 028501	12/22/1954	9/1/1958	1,920.00	1 N., 10 & 11 W.,	B-20, B-22	76
117. 026756	5/21/1954	9/1/1958	640.00	1 N., 10 W.,	B-20	60
115. 026757	5/21/1954	9/1/1958	1,280.00	1 N., 10 W.,	B-20	60
119. 028668	1/ 3/1955	9/1/1958	640.00	1 N., 10 W.,	B-20	76
120. 028590	12/22/1954	9/1/1958	700.00	1 N., 10 & 11 W.,	B-20, B-22	76
121. 028609	12/22/1954	9/1/1958	2,230.00	1 N., 10 & 11 W.,	B-20, B-22	76
122. 026761	5/21/1954	9/1/1958	760.00	1 S., 10 W.,	B-62	60
123. 026771	5/21/1954	9/1/1958	640.00	1 S., 10 W.,	B-62	60
124. 026772	5/21/1954	9/1/1958	580.00	1 S., 10 W.,	B-62	60
125. 026746	5/21/1954	9/1/1958	1,185.00	1 S., 10 W.,	B-62	60
126. 026745	5/21/1954	9/1/1958	735.00	2 S., 10 W.,	B-62	60
127. 026744	5/21/1954	9/1/1958	2,440.00	2 S., 10 W.,	B-62	60
128. 026750	5/21/1954	9/1/1958	1,420.00	2 S., 10 W.,	B-62	60
129. 026749	5/21/1954	9/1/1958	1,265.00	2 S., 10 W.,	B-62	60
130. 026753	5/21/1954	9/1/1958	600.00	2 S., 10 W.,	B-62	60
131. 026763	5/21/1954	9/1/1958	1,600.00	2 S., 10 W.,	B-62	60
132. 026782	5/21/1954	9/1/1958	1,280.00	2 S., 11 W.,	B-62	60
133. 028711	1/10/1955	9/1/1958	2,580.00	3 N., 9 & 10 W.,	B-19, B-20	76
134. 028604	1/ 7/1955	9/1/1958	2,580.00	3 & 4 N., 10 W.,	B-20	76
135. 028602	1/ 7/1955	9/1/1958	2,580.00	3 N., 10 W.,	B-20	76
136. 028603	1/ 7/1955	9/1/1958	2,580.00	3 N., 10 W.,	B-20	76
137. 028605	1/ 3/1955	9/1/1958	2,580.00	3 N., 10 W.,	B-20	76
138. 028306	12/22/1954	9/1/1958	1,920.00	3 N., 10 W.,	B-20	76
139. 028509	12/22/1954	9/1/1958	1,600.00	3 N., 10 W.,	B-20	76
140. 023500	12/22/1954	9/1/1958	2,240.00	3 N., 10 W.,	B-20	76
141. 028308	12/22/1954	9/1/1958	960.00	3 N., 10 W.,	B-20	76
142. 028307	12/22/1954	9/1/1958	320.00	3 N., 10 W.,	B-20	76
143. 028064	1/14/1955	9/1/1958	2,580.00	3 N., 9 W.,	B-19	77
144. 028710	1/10/1955	9/1/1958	2,580.00	3 N., 9 W.,	B-19	76
145. 028467	12/ 6/1954	9/1/1958	80.00	1 N., 11 W.,	B-22	76
146. 028006	12/22/1954	9/1/1958	1,260.00	1 N., 11 W.,	B-22	76
147. 028501	12/22/1954	9/1/1958	1,000.00	1 N., 11 W.,	B-22	76
148. 028069	10/15/1954	9/1/1958	2,580.00	4 N., 10 W.,	B-20	74
149. 028104	10/15/1954	9/1/1958	2,580.00	4 N., 10 W.,	B-20	74
150. 028048	10/15/1954	9/1/1958	2,580.00	4 N., 10 W.,	B-20	74

See footnotes at end of table, p. 10a.



**B. Leases issued after August 14, 1958 on applications filed prior to January 8, 1958—Continued**

(NOTE: Leases in conflict with respondents' applications are printed in boldface)

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
151. 029951.....	1/21/1955	9/1/1958	2,560.00	7 N., 9 & 10 W.,	B-19, B-20	77
152. 029166.....	2/15/1955	10/1/1958	1,898.44	11 N., 6 & 7 W.,	B-16, B-17	78
153. 045645.....	2/15/1955	10/1/1958	640.00	11 N., 7 W.,	B-17	144
154. 029167.....	2/15/1955	10/1/1958	2,116.01	11 N., 6 W.,	B-16	78
155. 029168.....	2/15/1955	10/1/1958	2,108.94	11 N., 6 W.,	B-16	78
156. 045644.....	2/15/1955	10/1/1958	1.90	11 N., 6 W.,	B-16	144
157. 029165.....	2/15/1955	10/1/1958	1,433.00	11 N., 7 W.,	B-17	78
158. 030273.....	5/19/1955	10/1/1958	182.51	10 N., 7 W.,	B-17	83
159. 029188.....	2/15/1955	10/1/1958	2,560.00	10 N., 6 & 7 W.,	B-16, B-17	76
160. 029181.....	2/15/1955	10/1/1958	1,400.00	10 N., 6 & 7 W.,	B-16	78
161. 029180.....	2/15/1955	10/1/1958	1,210.00	10 N., 6 & 7 W.,	B-16	78
162. 029182.....	2/15/1955	10/1/1958	2,560.00	10 N., 6 & 7 W.,	B-16	78
163. 029187.....	2/15/1955	10/1/1958	2,560.00	10 N., 6 & 7 W.,	B-16	78
164. 029186.....	2/15/1955	10/1/1958	2,560.00	10 N., 6 & 7 W.,	B-16	78
165. 045641.....	12/20/1954	10/1/1958	228.84	9 N., 10 W.,	B-20	144
166. 045640.....	12/20/1954	10/1/1958	36.40	9 N., 9 W.,	B-19	76
167. 029185.....	2/15/1955	10/1/1958	2,240.00	9 N., 6 W.,	B-16	78
168. 029179.....	2/15/1955	10/1/1958	2,560.00	9 N., 6 W.,	B-16	78
169. 029313.....	3/ 2/1955	10/1/1958	640.00	9 N., 6 W.,	B-16	79
170. 029625.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 6 W.,	B-16	80
171. 029616.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 6 W.,	B-16	80
172. 029184.....	2/15/1955	10/1/1958	2,560.00	9 N., 6 W.,	B-16	78
173. 029613.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 6 W.,	B-16	80
174. 029614.....	4/ 5/1955	10/1/1958	1,920.00	9 N., 6 W.,	B-16	80
175. 029634.....	4/ 5/1955	10/1/1958	1,280.00	9 N., 5 W.,	B-14	80
176. 029622.....	4/ 5/1955	10/1/1958	1,280.00	9 N., 5 W.,	B-14	80
177. 029627.....	4/ 5/1955	10/1/1958	1,280.00	9 N., 5 W.,	B-14	80
178. 029612.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 5 W.,	B-14	80
179. 029611.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 5 W.,	B-14	80
180. 029626.....	4/ 5/1955	10/1/1958	2,560.00	9 N., 5 W.,	B-14	80
181. 029623.....	4/ 5/1955	10/1/1958	640.00	9 N., 5 W.,	B-14	80
182. 029921.....	4/25/1955	10/1/1958	1,280.00	9 N., 4 W.,	B-10	81
183. 029940.....	4/25/1955	10/1/1958	555.00	9 N., 4 W.,	B-10	81
184. 029941.....	4/25/1955	10/1/1958	2,560.00	9 N., 4 W.,	B-10	81
185. 028130.....	10/15/1954	10/1/1958	1,120.02	8 N., 10 W.,	B-20	74
186. 032906.....	10/15/1954	10/1/1958	160.00	8 N., 9 W.,	B-19	93
187. 029178.....	2/15/1955	10/1/1958	2,240.00	8 N., 8 W.,	B-18	78
188. 029685.....	4/ 7/1955	10/1/1958	2,560.00	8 N., 7 W.,	B-17	80
189. 029706.....	4/ 8/1955	10/1/1958	2,560.00	8 N., 6 & 7 W.,	B-16, B-17	80
190. 029637.....	4/ 5/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
191. 029638.....	4/ 5/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
192. 029633.....	4/ 5/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
193. 029705.....	4/ 8/1955	10/1/1958	1,920.00	8 N., 5 & 6 W.,	B-14, B-16	80
194. 029683.....	4/ 7/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
195. 029681.....	4/ 7/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
196. 029682.....	4/ 7/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	80
197. 029922.....	4/25/1955	10/1/1958	2,560.00	8 N., 6 W.,	B-16	81
198. 029704.....	4/ 8/1955	10/1/1958	1,920.00	8 N., 6 W.,	B-16	80
199. 029929.....	4/25/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	81
200. 029927.....	4/25/1955	10/1/1958	2,560.00	8 N., 4 & 5 W.,	B-10, B-14	81
201. 029913.....	4/25/1955	10/1/1958	1,280.00	8 N., 5 W.,	B-14	81
202. 029708.....	4/ 8/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	80

See footnotes at end of table, p. 10a.

**B. Leases issued after August 14, 1958 on applications filed prior to January 8, 1958—Continued**

[Note: Leases in conflict with respondents' applications are printed in boldface.]

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
203. 029019	4/25/1955	10/1/1958	2,560.00	8 N., 4 & 5 W.,	B-10, B-14	81
204. 029016	4/25/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	81
205. 030131	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 W.,	B-14	82
206. 030134	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 & 6 W.,	B-14, B-16	82
207. 030136	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 & 6 W.,	B-14, B-16	82
208. 030124	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 & 6 W.,	B-14, B-16	82
209. 030129	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 W.,	B-14	82
210. 030123	5/ 5/1955	10/1/1958	2,560.00	7 N., 5 W.,	B-14	82
211. 030135	11/14/1957	10/1/1958	2,560.00	7 N., 5 W.,	B-14	82
212. 028073	10/15/1954	10/1/1958	2,560.00	6 N., 11 W.,	B-22	74
213. 028134	10/15/1954	10/1/1958	2,560.00	6 N., 10 W.,	B-20	74
214. 028133	10/15/1954	10/1/1958	1,920.00	6 N., 10 W.,	B-20	74
215. 029018	4/25/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	81
216. 029020	4/25/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	81
217. 029011	4/25/1955	10/1/1958	2,560.00	8 N., 5 W.,	B-14	81
218. 028149	10/15/1954	10/1/1958	2,280.00	7 N., 10 W.,	B-20	74
219. 028137	10/15/1954	10/1/1958	2,560.00	4 N., 10 W.,	B-20	74
220. 029240	2/25/1955	10/1/1958	2,560.00	4 N., 9 W.,	B-19	78
221. 029246	2/25/1955	10/1/1958	1,280.00	4 N., 9 W.,	B-19	78
222. 029243	2/25/1955	10/1/1958	1,920.00	4 N., 9 W.,	B-19	78
223. 029252	2/25/1955	10/1/1958	2,560.00	4 N., 9 W.,	B-19	79
224. 028147	10/15/1954	10/1/1958	1,280.00	3 N., 11 W.,	B-22	74
225. 029037	4/25/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	81
226. 029036	4/25/1955	10/1/1958	2,560.00	6 N., 6 & 7 W.,	B-16, B-17	81
227. 029035	4/25/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	80
228. 029713	4/ 8/1955	10/1/1958	1,920.00	6 N., 7 W.,	B-17	80
229. 029038	4/ 8/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	81
230. 029711	4/ 8/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	80
231. 029710	4/ 8/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	80
232. 029708	4/ 8/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	80
233. 029712	4/ 8/1955	10/1/1958	2,560.00	6 N., 7 W.,	B-17	80
234. 029709	4/ 8/1955	10/1/1958	2,560.00	6 N., 6 & 7 W.,	B-16, B-17	80
235. 029010	4/25/1955	10/1/1958	2,560.00	6 N., 6 W.,	B-16	81
236. 029050	4/22/1955	10/1/1958	2,560.00	6 N., 6 W.,	B-16	81
237. 029061	4/22/1955	10/1/1958	2,560.00	6 N., 6 W.,	B-16	81
238. 029034	4/25/1955	10/1/1958	1,920.00	6 N., 6 W.,	B-16	81
239. 029707	4/ 8/1955	10/1/1958	2,080.00	6 N., 6 W.,	B-16	80
240. 029708	4/13/1955	10/1/1958	2,560.00	6 N., 6 W.,	B-16	81
241. 029060	4/22/1955	10/1/1958	2,560.00	5 & 6 N., 6 W.,	B-16	81
242. 029060	4/25/1955	10/1/1958	2,560.00	6 N., 6 W.,	B-16	81
243. 028150	10/15/1954	10/1/1958	2,560.00	6 N., 9 W.,	B-19	74
244. 028148	10/15/1954	10/1/1958	2,560.00	6 N., 8 W.,	B-19	74
245. 029177	2/15/1955	10/1/1958	2,560.00	6 N., 8 W.,	B-19	78
246. 029084	4/ 7/1955	10/1/1958	2,400.00	7 N., 7 W.,	B-17	78
247. 029026	4/25/1955	10/1/1958	2,560.00	7 N., 7 W.,	B-17	81
248. 029030	4/25/1955	10/1/1958	2,560.00	7 N., 7 W.,	B-17	81
249. 029032	4/25/1955	10/1/1958	2,560.00	7 N., 7 W.,	B-17	81
250. 029033	4/25/1955	10/1/1958	2,560.00	7 N., 7 W.,	B-17	81
251. 029080	4/ 7/1955	10/1/1958	1,440.00	7 N., 6 W.,	B-16	80
252. 029023	4/25/1955	10/1/1958	2,560.00	7 N., 6 & 7 W.,	B-16, B-17	81
253. 029015	4/25/1955	10/1/1958	2,560.00	7 N., 6 W.,	B-16	81
254. 029014	4/25/1955	10/1/1958	2,560.00	7 N., 6 W.,	B-16	81

See footnotes at end of table, p. 10a.

**B. Leases issued after August 14, 1953 on applications filed prior to  
January 8, 1953—Continued**

**[Note: Leases in conflict with respondents' applications are printed in boldface]**

Serial No.	Applica- tion Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
255. 029917.....	4/25/1955	10/1/1958	2,560.00	7N., 6W.,	B-16	81
256. 029926.....	4/25/1955	10/1/1958	2,560.00	7N., 6W.,	B-16	81
257. 029925.....	4/25/1955	10/1/1958	2,560.00	7N., 6W.,	B-16	81
258. 029924.....	4/25/1955	10/1/1958	2,560.00	7N., 6W.,	B-16	81
259. 050133.....	5/ 5/1955	10/1/1958	2,560.00	7N., 5 & 6, W.,	B-14, B-16	82
260. 030125 <sup>1</sup> .....	5/ 5/1955	10/1/1958	2,560.00	7N., 6W.,	B-16	82
261. 029255 <sup>1</sup> .....	2/25/1955	10/1/1958	1,280.00	3N., 9W.,	B-19	79
262. 029262.....	2/25/1955	10/1/1958	2,560.00	3N., 9W.,	B-19	79
263. 029261.....	2/25/1955	10/1/1958	2,560.00	3N., 9W.,	B-19	79
264. 029260.....	2/25/1955	10/1/1958	2,560.00	3N., 9W.,	B-19	79
265. 029259.....	2/25/1955	10/1/1958	2,560.00	3N., 9W.,	B-19	79
266. 029256.....	2/25/1955	10/1/1958	1,920.00	3N., 9W.,	B-19	79
267. 029434 <sup>1</sup> .....	3/13/1955	10/1/1958	970.00	3S., 10W.,	B-62	79
268. 030128.....	5/ 5/1955	10/1/1958	2,560.00	6N., 5W.,	B-14	82
269. 030290 <sup>1</sup> .....	5/19/1955	10/1/1958	2,560.00	6N., 5W.,	B-14	83
270. 029652.....	4/ 5/1955	10/1/1958	2,560.00	5N., 7W.,	B-17	80
271. 029577.....	4/ 1/1955	10/1/1958	550.00	5N., 7W.,	B-17	80
272. 029619.....	4/ 1/1955	10/1/1958	2,430.00	5N., 7W.,	B-17	80
273. 029630.....	4/ 1/1955	10/1/1958	2,560.00	5N., 7W.,	B-17	80
274. 029628.....	4/ 5/1955	10/1/1958	1,302.00	5N., 6W.,	B-16	81
275. 029709 <sup>1</sup> .....	4/13/1955	10/1/1958	2,560.00	5N., 6W.,	B-16	81
276. 029779.....	4/14/1955	10/1/1958	160.00	5N., 6W.,	B-16	81
277. 030126.....	5/ 5/1955	10/1/1958	281.00	5N., 6W.,	B-16	82
278. 029961 <sup>1</sup> .....	4/27/1955	10/1/1958	1,883.00	5N., 6W.,	B-16	81
279. 028139.....	10/15/1955	10/1/1958	2,560.00	4N., 10W.,	B-20	74
280. 029931 <sup>1</sup> .....	4/ 7/1955	10/1/1958	2,560.00	7N., 7W.,	B-17	81
281. 029183 <sup>1</sup> .....	2/15/1955	11/1/1958	2,560.00	9N., 6W.,	B-16	78
282. 046431.....	10/15/1954	12/1/1958	403.84	8N., 10W.,	B-20	147
283. 028141 <sup>1</sup> .....	10/15/1954	12/1/1958	800.00	4N., 11W.,	B-20	74
284. 038375 <sup>1</sup> .....	9/23/1957	12/1/1958	2,560.00	6 & 7N., 5W.,	B-14	115
285. 038374 <sup>1</sup> .....	9/23/1957	12/1/1958	2,560.00	6N., 5W.,	B-14	115
286. 038000 <sup>1</sup> .....	9/ 9/1957	12/1/1958	1,700.00	6N., 6W.,	B-16	114
287. 038012 <sup>1</sup> .....	2/10/1957	12/1/1958	2,560.00	5 & 6N., 6W.,	B-16	114
288. 039896.....	11/14/1957	1/1/1959	2,560.00	6 & 7N., 5W.,	B-14	121
289. 039894.....	11/14/1957	1/1/1959	2,560.00	6N., 5W.,	B-14	121
290. 039897.....	11/14/1957	1/1/1959	2,560.00	6N., 5W.,	B-14	121
291. 039895.....	11/14/1957	1/1/1959	2,560.00	7N., 5W.,	B-14	121
292. 035056 <sup>1</sup> .....	8/ 1/1957	1/1/1959	480.00	9N., 4W.,	B-10	105
293. 040636.....	12/12/1957	2/1/1959	260.00	5N., 6W.,	B-16	124
294. 039877.....	11/13/1957	3/1/1959	2,560.00	6N., 5W.,	B-14	121
Total acre- age leased.....			621, 224.84			

<sup>1</sup> Lease later subdivided into two or more leases.

<sup>2</sup> Lease covers additional acreage not within the described area.

<sup>3</sup> Lease later modified to reduce the area leased. The acreage given is of the area originally leased.

## SUMMARY II

**LEASES ISSUED IN THE AREA WITHIN THE KENAI NATIONAL MOOSE RANGE, EXCEPTED FROM EXECUTIVE ORDER 8979, BUT WITHDRAWN FROM SETTLEMENT BY PUBLIC LAND ORDER 487 (JUNE 16, 1948, 18 F.R. 8482)**

**A. Leases issued prior to September 8, 1955**

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
1. 028025 <sup>1</sup> .....	1/10/1955	5/ 1/1955	185.80	5 N., 9 W.	B-19	77
2. 028026 <sup>1</sup> .....	2/ 7/1955	7/ 1/1955	255.51	5 N., 10 & 11 W.	B-20, B-23	78
Total acreage leased.....			441.30			

<sup>1</sup> Lease later subdivided into two or more leases.

<sup>2</sup> Lease later modified to reduce the area leased. The acreage given is of the area originally leased.

**B. Leases issued after September 8, 1955 on applications filed prior to that date**

(NOTE: Leases in conflict with respondents' applications are printed in boldface)

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
1. 028047 <sup>2</sup> .....	10/15/1954	10/1/1955	2,538.10	4 N., 11 W.,	B-22	74
2. 028053 <sup>1</sup> .....	10/15/1954	10/1/1955	2,560.00	4 N., 11 W.,	B-22	74
3. 028052.....	10/15/1954	10/1/1955	2,797.64	4 N., 11 W.,	B-22	74
4. 028057.....	10/15/1954	10/1/1955	2,371.00	5 N., 11 W.,	B-22	74
5. 028058 <sup>1</sup> .....	10/15/1954	10/1/1955	1,969.22	5 N., 9 W.,	B-19	74
6. 028070.....	10/15/1954	10/1/1955	2,378.43	5 N., 8 W.,	B-18	74
7. 028068.....	10/15/1954	10/1/1955	2,292.23	5 N., 11 W.,	B-22	74
8. 028055.....	10/15/1954	10/1/1955	2,342.00	5 N., 11 W.,	B-22	74
9. 028053.....	10/15/1954	10/1/1955	2,518.14	5 N., 10 W.,	B-20	74
10. 028053.....	10/15/1954	10/1/1955	1,795.09	5 N., 9 & 10 W.,	B-19, B-20	74
11. 028067.....	10/15/1954	10/1/1955	1,877.31	5 N., 9 W.,	B-19	74
12. 028058 <sup>1</sup> .....	10/15/1954	11/1/1955	1,747.00	5 N., 11 & 12 W.,	B-24	74
13. 028056.....	1/10/1955	11/1/1955	1,487.30	5 N., 9 W.,	B-19	74
14. 028071.....	10/15/1954	11/1/1955	2,063.00	5 N., 8 W.,	B-18	74
15. 028060.....	10/15/1954	11/1/1955	2,561.60	5 N., 8 W.,	B-18	74
16. 028064.....	10/15/1954	11/1/1955	2,308.24	5 N., 10 W.,	B-20	74
17. 028062.....	10/15/1954	11/1/1955	2,183.27	5 N., 10 W.,	B-20	74
18. 028060 <sup>2</sup> .....	10/ 1/1954	11/1/1955	1,920.00	5 N., 10 W.,	B-20	74
19. 028061.....	10/ 1/1954	11/1/1955	1,881.85	5 N., 10 W.,	B-20	74
20. 028558.....	12/17/1954	5/1/1956	111.22	5 N., 10 W.,	B-20	76
21. 027028 <sup>1</sup> .....	2/ 2/1954	7/1/1955	827.78	3 N., 12 W.,	B-24	70

See footnotes at end of table, p. 12a.

**B. Leases issued after September 9, 1955 on applications filed prior to that date—Continued.**

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
32. 028054 <sup>1</sup>	10/15/1954	9/1/1958	1,833.97	4 N., 11 W.,	B-23	74
33. 028100	10/15/1954	9/1/1958	349.50	4 N., 11 W.,	B-22	74
34. 028117 <sup>1</sup>	10/15/1954	9/1/1958	2,340.00	4 N., 11 W.,	B-22	74
35. 028072 <sup>1</sup>	10/15/1954	9/1/1958	1,920.00	6 N., 11 W.,	B-22	74
36. 028102	10/15/1954	9/1/1958	1,680.00	5 N., 11 W.,	B-22	74
37. 028050	11/30/1953	9/1/1958	197.78	6 N., 12 W.,	B-24	65
38. 028123 <sup>1</sup>	10/15/1954	9/1/1958	1,290.00	3 N., 11 W.,	B-22	74
39. 028090	10/15/1954	9/1/1958	1,736.82	3 N., 11 W.,	B-22	74
30. 028112 <sup>1</sup>	10/15/1954	9/1/1958	2,188.38	5 N., 8 W.,	B-18	74
31. 028089 <sup>1</sup>	10/15/1954	9/1/1958	2,169.00	5 N., 8 W.,	B-18	74
32. 028111	10/15/1954	9/1/1958	2,162.04	5 N., 8 W.,	B-18	74
33. 028072	11/30/1953	9/1/1958	608.24	6 N., 12 W.,	B-24	65
34. 028142	10/15/1954	10/1/1958	2,560.00	4 N., 11 W.,	B-22	74
35. 028133 <sup>1</sup>	10/15/1954	10/1/1958	2,421.28	6 N., 10 W.,	B-24	74
36. 028088	10/15/1954	10/1/1958	1,429.62	6 N., 11 W.,	B-22	74
37. 028135	10/15/1954	10/1/1958	2,164.56	5 N., 10 W.,	B-20	74
38. 028136	10/15/1954	10/1/1958	2,062.38	5 N., 10 W.,	B-20	74
39. 028106	10/15/1954	10/1/1958	1,212.00	5 N., 10 W.,	B-20	74
40. 048690	11/30/1953	10/1/1958	459.04	6 N., 12 W.,	B-24	145
41. 028124	10/15/1954	10/1/1958	2,315.78	5 N., 9 W.,	B-19	74
42. 028125	10/15/1954	10/1/1958	2,508.82	5 N., 9 W.,	B-19	74
43. 028126	10/15/1954	10/1/1958	2,079.00	5 N., 8 W.,	B-18	74
44. 028127	10/15/1954	10/1/1958	1,920.00	5 N., 8 W.,	B-18	74
45. 028128	10/15/1954	10/1/1958	1,515.61	5 N., 8 W.,	B-18	74
46. 045775	10/15/1954	10/1/1958	640.00	5 N., 8 W.,	B-18	145
47. 045782	10/15/1954	10/1/1958	575.99	5 N., 8 W.,	B-18	145
48. 045643	10/15/1954	10/1/1958	640.00	5 N., 11 W.,	B-22	144
49. 046642	10/15/1954	10/1/1958	640.00	4 N., 11 W.,	B-22	144
50. 045046	10/15/1954	10/1/1958	640.00	3 N., 11 W.,	B-22	144
51. 028101	10/15/1954	11/1/1958	2,560.00	4 N., 11 W.,	B-22	74
52. 028143	10/15/1954	11/1/1958	1,702.36	4 N., 12 W.,	B-24	74
53. 028087 <sup>1</sup>	10/15/1954	11/1/1958	2,560.00	6 N., 11 W.,	B-22	74
54. 028113 <sup>1</sup>	10/15/1954	11/1/1958	2,560.00	6 N., 11 W.,	B-22	74
55. 028103 <sup>1</sup>	10/15/1954	11/1/1958	1,253.19	5 N., 11 W.,	B-22	74
56. 028146	10/15/1954	11/1/1958	2,069.63	5 N., 11 W.,	B-22	74
57. 028071 <sup>1</sup>	11/30/1953	11/1/1958	63.36	6 & 7 N., 12 W.,	B-24	65
58. 028001	10/15/1954	11/1/1958	2,276.06	3 N., 11 W.,	B-22	74
59. 027020	8/ 3/1954	11/1/1958	1,515.18	3 N., 11 W.,	B-22	72
60. 028108	10/15/1954	11/1/1958	1,280.00	5 N., 9 W.,	B-19	74
61. 028141 <sup>1</sup>	10/15/1954	12/1/1958	1,760.00	4 N., 11 W.,	B-22	74
62. 028144	10/15/1954	12/1/1958	1,319.13	3 N., 12 W.,	B-24	74
63. 028107 <sup>1</sup>	10/15/1954	12/1/1958	1,258.83	5 N., 10 W.,	B-20	74
64. 028047 <sup>1</sup>	11/30/1953	12/1/1958	701.59	6 N., 12 W.,	B-24	65
65. 028099 <sup>1</sup>	10/15/1954	12/1/1958	1,205.10	3 N., 11 W.,	B-22	74
66. 028109 <sup>1</sup>	10/15/1954	12/1/1958	2,217.25	5 N., 9 W.,	B-19	74
67. 046908	10/15/1954	1/1/1959	640.00	6 N., 11 W.,	B-22	145
68. 046904	10/15/1954	1/1/1959	528.97	4 N., 12 W.,	B-24	145
69. 046903	10/15/1954	1/1/1959	493.62	5 N., 11 W.,	B-22	145
70. 028138	10/15/1954	2/1/1959	1,605.81	5 N., 11 W.,	B-22	74
71. 080247 <sup>1</sup>	5/19/1955	6/1/1959	27.63	5 N., 11 W.,	B-22	82
72. 028714 <sup>1</sup>	1/10/1955	10/1/1959	508.69	5 N., 9 W.,	B-19	74
Total acreage leased			116,437.27			

<sup>1</sup> Lease later subdivided into two or more leases.

<sup>2</sup> Lease covers additional acreage not within the described area.

## SCHEDULE III

LEASES ISSUED IN THE AREA WITHIN KENAI NATIONAL MOOSE RANGE WHICH WAS NOT WITHDRAWN FROM SETTLEMENT EITHER BY EXECUTIVE ORDER 8979 OR BY PUBLIC LAND ORDER 487, PURSUANT TO OFFERS FILED PRIOR TO AUGUST 14, 1958

Serial No.	Application Date	Lease Date	Acreage	Township and Range	Plat Book No.	Serial Book No.
1. 026390 <sup>1</sup>	4/ 1/1954	10/1/1954	2,301.39	8 N., 11 W.	B-22	67
2. 025851 <sup>1</sup>	11/30/1953	1/1/1955	2,560.00	7 N., 11 W.	B-22	65
3. 026391	4/ 1/1954	1/1/1955	1,920.00	7 N., 11 W.	B-22	67
4. 026394 <sup>2</sup>	4/ 1/1954	1/1/1955	1,440.00	7 N., 11 W.	B-22	67
5. 026395	4/ 1/1954	1/1/1955	2,560.00	7 N., 11 W.	B-22	67
6. 026396	4/ 1/1954	1/1/1955	2,560.00	8 N., 11 W.	B-22	67
7. 026397 <sup>1</sup>	4/ 1/1954	1/1/1955	2,560.00	7 N., 11 W.	B-22	67
8. 025843 <sup>3</sup>	11/30/1953	9/1/1958	2,300.00	7 N., 11 W.	B-22	65
9. 028187 <sup>3</sup>	10/22/1954	9/1/1958	1,080.00	7 N., 11 W.	B-22	74
10. 028186 <sup>3</sup>	10/22/1954	9/1/1958	300.00	7 N., 11 W.	B-22	74
11. 028121 <sup>3</sup>	10/22/1954	9/1/1958	600.00	7 N., 10 W.	B-20	74
12. 028114 <sup>3</sup>	10/15/1954	9/1/1958	1,540.00	6 N., 11 W.	B-22	74
13. 027849 <sup>1</sup>	9/17/1954	9/1/1958	2,080.00	6 N., 11 W.	B-22	73
14. 028072 <sup>1</sup>	9/17/1954	9/1/1958	640.00	6 N., 11 W.	B-22	74
15. 025845	11/30/1953	9/1/1958	640.00	6 N., 11 W.	B-22	65
16. 028079 <sup>3</sup>	10/15/1954	9/1/1958	30.00	6 N., 10 W.	B-20	74
17. 028063 <sup>3</sup>	10/15/1954	9/1/1958	15.00	3 N., 11 W.	B-22	74
18. 028123 <sup>3</sup>	10/15/1954	9/1/1958	1,760.00	3 N., 11 W.	B-22	74
19. 028004	10/15/1954	9/1/1958	1,260.00	3 N., 11 W.	B-22	74
20. 025848 <sup>3</sup>	11/30/1953	9/1/1958	2,284.17	8 N., 11 W.	B-22	65
21. 028066 <sup>3</sup>	10/15/1954	9/1/1958	2,191.62	8 N., 10 W.	B-20	74
22. 032006	10/15/1954	9/1/1958	2,960.00	8 N., 10 W.	B-20	93
23. 028075	10/15/1954	9/1/1958	2,660.00	8 N., 10 W.	B-20	74
24. 028115 <sup>3</sup>	10/15/1954	9/1/1958	1,280.00	8 N., 10 W.	B-20	74
25. 028074	10/15/1954	9/1/1958	2,560.00	8 N., 10 W.	B-20	74
26. 028073 <sup>1</sup>	10/15/1954	10/1/1958	610.00	6 N., 11 W.	B-22	74
27. 028129	10/15/1954	10/1/1958	2,560.00	6 N., 11 W.	B-22	74
28. 028130 <sup>3</sup>	10/15/1954	10/1/1958	923.55	8 N., 10 W.	B-20	74
29. 032905	10/15/1954	10/1/1958	800.60	8 N., 10 W.	B-20	93
30. 025393	4/ 1/1954	10/1/1958	640.00	7 N., 12 W.	B-24	67
31. 025873 <sup>1</sup>	11/30/1953	11/1/1958	753.64	8 N., 11 W.	B-22	65
32. 025871 <sup>1</sup>	11/30/1953	11/1/1958	286.84	7 N., 12 W.	B-24	65
33. 025870 <sup>1</sup>	11/30/1953	11/1/1958	151.10	7 N., 12 W.	B-24	65
34. 025847 <sup>1</sup>	11/30/1953	12/1/1958	542.69	6 N., 12 W.	B-24	65
35. 046431	10/15/1954	12/1/1958	619.49	8 N., 10 W.	B-20	147
36. 025846 <sup>1</sup>	11/30/1953	12/1/1958	700.35	7 N., 12 W.	B-24	65
37. 025844 <sup>1</sup>	11/30/1953	12/1/1958	795.97	7 N., 12 W.	B-24	65
38. 026392 <sup>3</sup>	4/ 1/1954	2/1/1959	2,560.00	8 N., 11 W.	B-22	67
39. 025842 <sup>3</sup>	11/27/1953	2/1/1959	1,255.07	7 N., 11 W.	B-22	65
40. 037776	9/ 9/1957	9/1/1959	59.77	8 N., 11 W.	B-22	113
41. 025852 <sup>1</sup>	11/30/1953	9/1/1959	860.00	7 N., 12 W.	B-24	65
42. 025853 <sup>1</sup>	11/30/1953	9/1/1959	2,353.64	7 N., 11 W.	B-22	65
Total acreage leased			57,425.59			

<sup>1</sup> Lease later subdivided into two or more leases.

<sup>2</sup> Lease covers additional acreage not within the described area.

<sup>3</sup> Lease later modified to reduce the area leased. The acreage given is of the area originally leased.

<sup>4</sup> Additional acreage later added to lease.